



Friends and Families Matter

From Heartbreak to Healing

Support for those coping with the incarceration of a loved one

EXHIBIT ²

DATE 1/16/15

HB 135

January 13, 2015

House Judiciary Committee
Montana State Legislature of 2015

Re: HB 135 Revise parole criteria laws

Dear Chair Bennett and Committee Members,

Friends and Families Matter is a non-profit organization. Our mission is to support, educate, and advocate for individuals, families, and communities impacted by the effects of crime and incarceration.

We are opposed to HB 135 as currently drafted, but would like to suggest some amendments, and that document is attached. The amendments only affect Section 1.

Our group attended and testified at several meetings of the Law and Justice Interim Committee during its study of Montana's probation and parole board, in addition to several state and local reentry task force meetings. And, we have studied other states and available research. Based on what we learned, we believe that the current parole criteria that are provided now in rule and that this bill as introduced would codify in statute are outdated and too subjective. To address inconsistency in the parole board's decisions and the perception that there is a lack of fairness in some parole decisions, we urge the Committee to consider amending this bill in a way that removes the subjective criteria and inserts the requirement that the board adopt an evidence-based risk assessment tool. Such tools have proven effective in many other states. The board would adopt this tool based on its evaluation of best practices.

Attached is a copy of the amendments we propose. The bold is where the amendments propose to strike language from the current bill and the capitals show what would be inserted. We believe these amendments will establish a statutory requirement that an evidence-based risk assessment tool be used, but still allow the board the flexibility of determining exactly what risk assessment tool they would adopt and what information they should consider when applying that tool.

We will support this bill whole-heartedly with the proposed amendments. We regret that we are unable to attend this hearing in person. If you have any questions about our testimony, please feel free to contact us at (406) 470-2698.

Sincerely,
Patricia Swan-Smith
Friends and Families Matter